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August 11, 2021

VIA E-FILING (CM/ECF)

Hon. Joan M. Azrack, U.S.D.J.
United States District Court
Eastern District of New York
Long Island Courthouse
100 Federal Plaza
Central Islip, New York 11722

Re: *Owhonda v. Credit Acceptance Corporation, et al.*
E.D.N.Y. Case No. 2:21-cv-03413-JMA-ARL
Consent Request for Extension of Time to Answer, Move, or Otherwise
Respond to Plaintiff's Complaint

Dear Judge Azrack:

This firm represents Defendant Credit Acceptance Corporation (“Credit Acceptance”) in the above-referenced action. Pursuant to Rule III.B. of Your Honor’s Individual Rules, Credit Acceptance hereby respectfully requests an extension of time, up to and including **Tuesday, August 31, 2021**, to answer, move, or otherwise respond to the Complaint filed by Plaintiff Alexander Owhonda (“Plaintiff”) on June 17, 2021 [CM/ECF Doc. 1].

Although it now appears that Credit Acceptance was served through the New York Secretary of State on June 25, 2021, as evidenced by the letter attached hereto as **Exhibit A**, the Secretary of State did not forward any notice of service until August 2, 2021 – *i.e.*, well after Credit Acceptance’s time to answer, move, or otherwise respond to Plaintiff’s Complaint technically expired on July 16, 2021. Upon finally receiving notice of service, Credit Acceptance retained the undersigned, who immediately inquired of Plaintiff’s counsel regarding the requested extension. Plaintiff’s counsel promptly consented.

The requested extension is necessary to allow Credit Acceptance to fully and properly respond to the Complaint, and it will also allow the parties to attempt to resolve some or all of the claims in this matter without further litigation. This is Credit Acceptance’s first request for an extension of time to answer, move, or otherwise respond to the Complaint in this matter, and the extension will not materially affect any other scheduled deadlines or court appearances.

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Respectfully submitted,



Chester R. Ostrowski

cc: All Counsel of Record (via CM/ECF)

EXHIBIT A

STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
WWW.DOS.NY.GOV

ANDREW M. CUOMO
GOVERNOR

ROSSANA ROSADO
SECRETARY OF STATE

August 02, 2021

CORPORATION SERVICE COMPANY
80 STATE STREET
ALBANY NY 12207, USA

RE: Party Served: CREDIT ACCEPTANCE CORPORATION
Plaintiff/Petitioner: ALEXANDER OWHONDA
Receipt Number: 202108020273
Date Served: 06/25/2021
Section of Law: SECTION 306 OF THE BUSINESS CORPORATION LAW

To whom it may concern:

Enclosed is a legal document that was served upon the Secretary of State as the designated agent of the above named party. The Department of State is required by law to forward this legal document to the address on file for such party. This office is not authorized to offer legal advice. If you have any questions concerning this document, please contact your attorney.

Sincerely,

Department of State
Division of Corporations, State Records
and Uniform Commercial Code
(518) 473-2492

